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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,469	01/30/2004	Sang-on Choi	Q79516	3608
23373 7590 11/07/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
TO, TUAN C				
ART UNIT		PAPER NUMBER		
3663				
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11/07/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/767,469

**Applicant(s)**

CHOI ET AL.

**Examiner**

TUAN C. TO

**Art Unit**

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4, 6-8, 26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6-8, 26, and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 26 and 27 are rejected under 35 U.S.C. 112 (second paragraph) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are replete with errors. Some examples follow.

Claim 26 recite the feature "the control unit automatically indicates a current city information setup screen, if a setup time is informed from the setup time informing server". It is unclear what the control unit indicates if the setup time is not informed from the setup time informing server.

Claim 27 is rejected for the same reason.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 2, 4, 6-8, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (US 20010029430A1), and in view of Watanabe et al. (US 20030128211A1), Doulton et al. (US 4512667), and Gaskill (US 5929771A).

Regarding claims 1, 2, 26, and 27, Tamura basically teaches a portable terminal device that comprises an input unit (Tamura, page 3, paragraph 0036) for inputting a destination to a portable device using a key of the portable device. The portable terminal device includes a magnetic sensor (2) that detects a geographic direction (Tamura, paragraph 0030), a display device that shows both direction to a location and orientation of the portable terminal on a display screen of the terminal device (Tamura, page 1, paragraph 0009, lines 13-29; paragraph 0013), a control unit (6) receives input from a key and a shortest route to the destination is calculated on the basis of the map information and then displayed on the display of the portable terminal.

The control unit (6) further teaches the orientation of the portable terminal device and the direction to a destination are shown on the display based on the detected geographical sensor (2) and the input destination.

Although Tamura teaches a storage device for storing map information, said storage device does not fairly show information on directions between major cities of all the nations and a specific location, and a second display, which is controlled by the control unit, for generating an alarm when the orientation of the device and the direction to the specific location are aligned with each other. Furthermore, Tamura fails to teach that the input unit inputted with a direction searching command for searching a direction to the specific location.

The second reference to Watanabe et al. has been provided as teach such the storage device (Watanabe et al., page 4, paragraph 0043; paragraph 0104). Watanabe et al. further teaches the input unit (2) (see paragraph 0040) that performs a variety of user's command inputs to be applied to on the on-vehicle navigation device (1). The user is able to implement command input through voice for user to select a map image to be displayed or command inputs for retrieving a travel route. Therefore, Watanabe et al. directs to a input unit inputted with a command for searching a travel direction with such travel route.

The third reference to Doulton et al. teaches a portable information device having an output related to natural physical events, including a second display controlled by the control unit (see figure 3, microprocessor), for generating an alarm when the orientation

of the device and the direction to the specific location area aligned with each other (see abstract; column 4, lines 31-39).

The fourth reference to Gaskill discloses a portable wireless communication device comprising a transceiver (32) for communicating with a computer (40) (see figure 1 and 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the portable terminal device with the storage device that stores the map information as taught by Tamura by substituting the storage device that stores information on directions between major cities of all the nations and the specific location as taught by Watanabe et al., the second display as taught in Doulton et al, and the transceiver as taught in Gaskill so that the device user have advantage of to ensure a right direction to a selected destination.

As to claim 4, none of the cited reference teaches that the second display has a light emitting diode, but this feature is well known since a display can have a light emitting diode for the purpose of illumination.

As to claims 6-8, Doulton et al. teaches that the portable information device includes a control unit which is the microprocessor (figure 3) that control the display for setting up the current city information on the display when a mode for searching for the direction to the specific location (abstract) is selected through the input unit (figure 3, keypads).

### ***Response to Arguments***

Applicant's arguments filed 08/20/2008 have been fully considered but they are not persuasive.

Gaskill discloses a portable communication device which has a transceiver for establishing a communication with another portable communication device or desktop computer having an infrared transceiver. Gaskill discloses a computer network of multiple computers 40, 41a-41c (see figure 6). The personal communication device (PCD) (20) communicates with each of the computers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to connect at least a personal computer to a base station through the network of computers for downloading data from the Internet.

Doulton et al. teaches a portable information device having an output related to natural physical events, including a second display controlled by the control unit (see figure 3, microprocessor), for generating an alarm when the orientation of the device and the direction to the specific location area aligned with each other (see abstract; column 4, lines 31-39). Therefore, Doulton et al. teaches the limitation "a second display controlled by the control unit and generating an alarm if the direction of the device is consistent with the direction to the specific location" as required in the claim.

### ***Conclusions***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should



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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan C To/

Primary Examiner of Art Unit 3663/3600

October 31, 2008